

THE HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ABDIQAFAR WAGAFE, *et al.*, on behalf
of themselves and others similarly situated,

Plaintiffs,

v.

DONALD TRUMP, President of the
United States, *et al.*,

Defendants.

No. 2:17-cv-00094-RAJ

**PLAINTIFFS' STATUS REPORT
REGARDING MOTION TO AMEND
PROTECTIVE ORDER (DKT. #309)**

Plaintiffs are disappointed to report to the Court that the parties have been unable to fully resolve the issues involved in Plaintiffs' stricken Motion for an Order Amending Protective Order (Dkt. #309). As reported in the Stipulation for Extension of Time (Dkt. #362) that the parties filed on Friday, June 5, the parties reached an agreement in principle last week, but Defendants needed additional time to obtain approvals that they thought necessary to finalize that agreement. On Wednesday, June 10, Defendants reported that they may not be able to get certain unidentified stakeholders to agree to that putative agreement, and instead Defendants suggested a revised approach. On Wednesday, June 10, the parties reached agreement on an alternative approach, this time with Defendants at least suggesting that all stakeholders on their

1 side approved, and Defendants counsel agreed to prepare a draft stipulated motion reflecting
2 same. Counsel for Plaintiffs asked that they provide that draft as soon as possible, so that
3 counsel could honor the work strike called by Black Lives Matter for this afternoon.
4 Unfortunately, Defendants took until this afternoon to provide a draft, and even more
5 unfortunately that draft moved the goal posts once more, adding substantive additional
6 conditions that were not part of the parties' agreement and that are not acceptable to Plaintiffs.
7 Plaintiffs responded with suggested revisions to make the stipulation to conform to the parties'
8 agreement, but Defendants' response tried to justify its new conditions, not to conform the
9 stipulation to what the parties had agreed. Full agreement was not achieved.¹

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11 Plaintiffs recognize that the Court does not want additional motion practice on this issue.
12 Instead, therefore, Plaintiffs request that the Court hold an additional hearing on this matter, and
13 that the Court order each party provide a short statement, not to exceed three pages, in advance
14 as to the remaining points of disagreement. If the parties are able to reach resolution prior to the
15 hearing, they will of course advise the Court and request the hearing be stricken.

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24 ¹ Plaintiffs sent their edits at 1:41 p.m., less than one and one-half hours after Defendants' sent their draft.
25 Defendants took until 3:27 to reply. Plaintiffs responded at 3:53, asked for an immediate response, and advised that
26 they would file a statement to this effect if a response was not received. No response was received as of the end of
the business day, but at 5:07, Defendants responded conceding to remove one added condition, but not another that
could upend the discovery schedule recently submitted to the Court.

Respectfully submitted,

DATED: June 12, 2020

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CERTIFICATE OF SERVICE

The undersigned certifies that on the date indicated below, I caused service of the foregoing document via the CM/ECF system that will automatically send notice of such filing to all counsel of record herein.

DATED this 12th day of June, 2020, at Seattle, WA.

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